S.B. CIVIL WRIT PETITION NO.2836/2007.
Smt.Shivdai
Vs.
ADJ (Fast Track) No.5, Distt.Bharatpur & ors.

Date of order : 20/4/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Karanpal Singh for the petitioner.

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This writ petition has been filed challenging the judgment dated 24/5/2003 passed by the learned Additional District and Sessions Judge (Fat Track) No.5, Bharatpur in the civil suit filed by respondent No.2, Punjab National Bank. The remedy against the judgment passed in the civil suit is by filing regular first appeal under Section 96 of the Code of Civil Procedure, 1908.

The writ petition is therefore dismissed as not maintainable. However, the petitioner will be at liberty to file first appeal and may also in that claim benefit of Section 14 of the Limitation Act, 1963 for bonafide

pursuing wrong remedy by filing this writ petition.

anil **(MOHAMMAD RAFIQ), J.**